

FRANKFORT/FRANKLIN COUNTY BOARD OF ZONING ADJUSTMENTS
April 1, 2008

Chairman Mitch Buchanan called the meeting to order at 5:30 p.m.
Recording Secretary Dawn McDonald called the roll.

MEMBERS PRESENT:

Mitch Buchanan
Barry Holder, Jr.
William Groce
David Jones
Joyce Honaker
Ryan Sell

MEMBERS ABSENT:

Chairman Mitch Buchanan called the meeting to order, introduced staff and swore in the staff and audience.

The first item of business was approval of the February 5, 2008 minutes. Mr. Holder made a motion to approve the minutes. The motion was seconded by Ms. Honaker and carried unanimously.

The first item of business was a request from Mary Wood for a Conditional Use Permit to allow the operation of a daycare center for up to 40 children located at 101 Woodhill, zoned "CH" Highway Commercial District.

Gary Muller, City of Frankfort Planning Director was present for the staff report. Mr. Muller stated that this request is for a daycare center for up to 40 children (20 under the age of 2 and 20 under the age of 3). Mr. Muller went over a slide presentation as he described the layout of the property. He mentioned that there is no outside play area, and that the interior play area meets the requirements for total play area. He mentioned that the Daycare center will operate downstairs and that a church occupies the upstairs property. He stated that no exterior improvements are needed. He stated that since the project fulfills the criteria set for in Article 19 for daycare facilities, staff recommends approval of the Conditional Use Permit with conditions.

The applicant Mary Wood was present and stated that she had nothing further to add and that she is willing to comply with the conditions as set forth by staff.

Mr. Holder made a motion to approve the Conditional Use Permit in accordance with articles 4, 18, & 19 of the zoning ordinance to allow the operation of a 40 child capacity daycare with the following conditions: 1) The conditional use applies only for the operation of a child care facility with a maximum enrollment of 40 children at the ages as specified in the Conditional Use Permit Application; 2) the conditional use is permitted only at 101 Woodhill; 3) the conditional use is granted only to Suns and Rainbows daycare or other operated by Ms. Wood; 4) the conditional use is not

transferable and any change in ownership or use will make this approval null and void; and 5) any new exterior signage shall require a sign permit prior to installation. The motion was seconded by Mr. Jones and carried unanimously.

The next item of business was a request from Fifth Row Properties for a Conditional Use Permit to allow a duplex on a vacant lot located near the corner of Valley View Drive and O'Brien Street, zoned "CG" General Commercial District.

Gary Muller, City of Frankfort Planning Director was present for the staff report and mentioned that the applicant was not in the audience and he didn't know if the board wanted to proceed without him, to table, approve or deny to request. The board suggested a recess while he tried to contact the applicant.

RECESS

Upon returning from recess, Mr. Muller stated that he was unable to contact the applicant and that he needed an affidavit that the applicant was supposed to bring to the hearing in order to move forward, however the applicant could not be reached and the affidavit had not been received.

After discussion, Mr. Buchanan made a motion to deny the request. The motion was seconded by Mr. Jones and carried unanimously.

Ms. Honaker made a motion to adjourn. The motion was seconded by Mr. Jones and carried unanimously.

Adjourn